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December 5, 2002

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**Box CPA**  
Commissioner for Patents  
Washington, DC 20231

Re: Attorney Docket No.: DIVER1380-1

This paper is a request for a Continued Prosecution Application under 37 C.F.R. § 1.53(d) of:

**Applicant** : Jay M. Short  
**Title** : SCREENING FOR NOVEL COMPOUNDS WHICH  
REGULATE BIOLOGICAL INTERACTIONS  
**Prior U.S. Application No.** : 09/529,458  
**Filing Date** : May 23, 2000  
**Attorney Docket No.** : DIVER1380-1

The prior application was complete as defined by 37 C.F.R. § 1.51(b).

This request for a CPA is the reference to the prior application noted above as required by 35 U.S.C. § 120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein. The prior application is currently on Appeal. Please enter the Preliminary Amendment submitted herewith.

The prior application is assigned of record to DIVERSA CORPORATION, by virtue of an Assignment submitted to the Patent and Trademark Office for recording on May 23, 2000 at Reel No. 010834 and Frame No. 0122.

<b>CERTIFICATION UNDER 37 CFR §1.10</b> "EXPRESS MAIL" Mailing Label Number: <b>EV 052 751 795 US</b> Date of Deposit: December 5, 2002
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: Box CPA, Commissioner for Patents, Washington, D.C. 20231.
Aldon Griffis (Name of Person Mailing Paper)

**GRAY CARY WARE & FREIDENRICH LLP**

**BOX CPA**

Prior U.S. Application No. : 09/529,458  
**Filing Date** : **May 23, 2000**  
 Attorney Docket No. : DIVER1380-1  
 December 5, 2002  
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This request includes Three (3) sheets, and the following:

- Preliminary Amendment – Including Exhibits A and B (22 pages);
- Petition for Five (5) Months Extension of Time (2 pages);
- Check No. 524748 in the amount of \$1,490.00; and
- Return Receipt Postcard.

The entire disclosure of the prior application is considered as being part of the disclosure of accompanying application and is incorporated by reference.

This application is entitled to **SMALL ENTITY** status. Small entity status from a previous application is still proper. Fees are being paid herein at a small entity rate.

The filing fee has been calculated as shown below:

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	35 - 35	=	0	X	\$09	\$18	=	\$ .00	\$ .00
Independent Claims	3 - 3	=	0	X	\$42	\$84	=	\$ .00	\$ .00
Multiple Dependent Claims Presented: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$140	\$280		\$140.00	\$ .00
					BASIC FEE			\$370.00	\$740.00
					TOTAL FEE			\$510.00	\$ .00

Enclosed is Check No. 524748 in the total amount of \$1,490.00; consisting of \$370.00 for the basic filing fee, \$980.00 for the Five (5) Months extension of time fee and \$140.00 for the Multiple Dependent Claims fee. Please apply any other required fees or any credits to Deposit Account No. 50-1355, referencing the attorney docket number shown above.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

**GRAY CARY WARE & FREIDENRICH LLP**

**BOX CPA**

Prior U.S. Application No. : 09/529,458

~~Filing Date~~ : ~~May 25, 2000~~

Attorney Docket No. : DIVER1380-1

December 5, 2002

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Please send all correspondence to:

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Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**

December 5, 2002



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LAH:ag

Enclosures